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SENATE BILL 742

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

H. Diane Snyder

AN ACT

RELATING TO WATER; AMENDING THE GROUND WATER STORAGE AND RECOVERY ACT TO PROVIDE ELIGIBILITY FOR THE INTERSTATE STREAM COMMISSION TO STORE AND RETRIEVE WATER PURSUANT TO THAT ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 72-5A-3 NMSA 1978 (being Laws 1999, Chapter 285, Section 3) is amended to read:

"72-5A-3. DEFINITIONS. -- As used in the Ground Water Storage and Recovery Act:

A. "aquifer" means a geologic formation that contains sufficient saturated material to be capable of storing and transmitting water in usable quantities to a well;

B. "area of hydrologic effect" means the underground area where the water is stored and located, hydrologically connected surface waters, adjacent underground

underscored material = new
[bracketed material] = del ete

underscored material = new
[bracketed material] = delete

1 areas in which water rights exist that may be impaired, the
2 land surface above the underground areas and any additional
3 land surface used for seepage or infiltration;

4 C. "governmental entity" means the interstate steam
5 commission, an Indian nation, tribe or pueblo or state
6 political subdivision, including a municipality, county,
7 acequia, irrigation district or conservancy district;

8 D. "project" means a permitted, engineered facility
9 designed specifically, constructed and operated pursuant to the
10 Ground Water Storage and Recovery Act, to add measured volumes
11 of water by injection or infiltration to an aquifer or system
12 of aquifers, to store the water underground and to recover it
13 for beneficial use pursuant to the Ground Water Storage and
14 Recovery Act but shall not include in situ leach mining
15 operations or water flood operations for petroleum recovery
16 that require approval by the state engineer outside the Ground
17 Water Storage and Recovery Act; and

18 E. "stored water" means water that has been stored
19 underground for the purpose of recovery and permitted pursuant
20 to the Ground Water Storage and Recovery Act."